

111TH CONGRESS
1ST SESSION

H. R. 2352

AN ACT

To amend the Small Business Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Job Creation Through Entrepreneurship Act of 2009”.

4 (b) TABLE OF CONTENTS.—The table of contents for
5 this Act is as follows:

Sec. 1. Short title; table of contents.

**TITLE I—ESTABLISHMENT OF VETERANS BUSINESS CENTER
PROGRAM**

Sec. 101. Veterans Business Center program.

Sec. 102. Reporting requirement for interagency task force.

Sec. 103. Comptroller General study of small business concerns owned and controlled by veterans.

**TITLE II—EDUCATING AND NETWORKING ENTREPRENEURS
THROUGH TODAY’S TECHNOLOGY**

Sec. 201. Educating entrepreneurs through technology.

TITLE III—ENHANCING NATIVE AMERICAN ENTREPRENEURSHIP

Sec. 301. Office of Native American Affairs; Tribal Business Information Centers program.

Sec. 302. Small Business Development Center assistance to Indian tribe members, Alaska Natives, and Native Hawaiians.

**TITLE IV—BROADENING THE WOMEN’S BUSINESS CENTER
PROGRAM**

Sec. 401. Notification of grants; publication of grant amounts.

Sec. 402. Communications.

Sec. 403. Funding.

Sec. 404. Performance and planning.

Sec. 405. National Women’s Business Council.

Sec. 406. Applicant evaluation criteria.

TITLE V—SCORE PROGRAM IMPROVEMENTS

Sec. 501. Expansion of volunteer representation and benchmark reports.

Sec. 502. Mentoring and networking.

Sec. 503. Name of program changed to SCORE.

Sec. 504. Authorization of appropriations.

TITLE VI—EXPANDING ENTREPRENEURSHIP

Sec. 601. Expanding entrepreneurship.

**TITLE VII—MODERNIZING THE SMALL BUSINESS DEVELOPMENT
CENTER PROGRAM**

Sec. 701. Small business development centers operational changes.

Sec. 702. Access to credit and capital.

Sec. 703. Procurement training and assistance.
 Sec. 704. Green entrepreneurs training program.
 Sec. 705. Main street stabilization.
 Sec. 706. Prohibition on program income being used as matching funds.
 Sec. 707. Authorization of appropriations.
 Sec. 708. Small Manufacturers transition assistance program.

TITLE VIII—MICROENTERPRISE TRAINING CENTER PROGRAM

Sec. 801. Microenterprise training center program.

TITLE IX—MILITARY ENTREPRENEURS PROGRAM

Sec. 901. Military entrepreneurs program.

TITLE X—RURAL ENTREPRENEURSHIP ADVISORY COUNCIL

Sec. 1001. Rural Entrepreneurship Advisory Council.

TITLE XI—ASSISTANCE RELATED TO CARBON EMISSION TAX

Sec. 1101. Assistance related to carbon emission tax.

1 **TITLE I—ESTABLISHMENT OF** 2 **VETERANS BUSINESS CENTER** 3 **PROGRAM**

4 **SEC. 101. VETERANS BUSINESS CENTER PROGRAM.**

5 Section 32 of the Small Business Act (15 U.S.C.
 6 657b) is amended—

7 (1) in subsection (f), by inserting “(other than
 8 subsections (g), (h), and (i))” after “this section”;
 9 and

10 (2) by adding at the end the following:

11 “(g) VETERANS BUSINESS CENTER PROGRAM.—

12 “(1) IN GENERAL.—The Administrator shall es-
 13 tablish a Veterans Business Center program within
 14 the Administration to provide entrepreneurial train-
 15 ing and counseling to veterans in accordance with
 16 this subsection.

1 “(2) DIRECTOR.—The Administrator shall ap-
2 point a Director of the Veterans Business Center
3 program, who shall implement and oversee such pro-
4 gram and who shall report directly to the Associate
5 Administrator for Veterans Business Development.

6 “(3) DESIGNATION OF VETERANS BUSINESS
7 CENTERS.—The Director shall establish by regula-
8 tion an application, review, and notification process
9 to designate entities as veterans business centers for
10 purposes of this section. The Director shall make
11 publicly known the designation of an entity as a vet-
12 erans business center and the award of a grant to
13 such center under this subsection.

14 “(4) FUNDING FOR VETERANS BUSINESS CEN-
15 TERS.—

16 “(A) INITIAL GRANTS.—The Director is
17 authorized to make a grant (hereinafter in this
18 subsection referred to as an ‘initial grant’) to
19 each veterans business center each year for not
20 more than 5 years in the amount of \$200,000.

21 “(B) GROWTH FUNDING GRANTS.—After a
22 veterans business center has received 5 years of
23 initial grants under subparagraph (A), the Di-
24 rector is authorized to make a grant (herein-
25 after in this subsection referred to as a ‘growth

1 funding grant') to such center each year for not
2 more than 3 years in the amount of \$150,000.
3 After such center has received 3 years of
4 growth funding grants, the Director shall re-
5 quire such center to meet performance bench-
6 marks established by the Director to be eligible
7 for growth funding grants in subsequent years.

8 “(5) CENTER RESPONSIBILITIES.—Each vet-
9 erans business center receiving a grant under this
10 subsection shall use the funds primarily on veteran
11 entrepreneurial development, counseling of veteran-
12 owned small businesses through one-on-one instruc-
13 tion and classes, and providing government procure-
14 ment assistance to veterans.

15 “(6) MATCHING FUNDS.—Each veterans busi-
16 ness center receiving a grant under this subsection
17 shall be required to provide a non-Federal match of
18 50 percent of the Federal funds such center receives
19 under this subsection. The Director may issue to a
20 veterans business center, upon request, a waiver
21 from all or a portion of such matching requirement
22 upon a determination of hardship. The Director may
23 waive the matching funds requirement under this
24 paragraph with respect to veterans business centers
25 that serve communities with a per capita income less

1 than 75 percent of the national per capita income
2 and an unemployment rate at least 150 percent
3 higher than the national average.

4 “(7) TARGETED AREAS.—The Director shall
5 give priority to applications for designations and
6 grants under this subsection that will establish a
7 veterans business center in a geographic area, as de-
8 termined by the Director, that is not currently
9 served by a veterans business center and in which—

10 “(A) the population of veterans exceeds the
11 national median of such measure; or

12 “(B) the population of veterans of Oper-
13 ation Iraqi Freedom or Operation Enduring
14 Freedom exceeds the national median of such
15 measure.

16 “(8) TRAINING PROGRAM.—The Director shall
17 develop and implement, directly or by contract, an
18 annual training program for the staff and personnel
19 of designated veterans business centers to provide
20 education, support, and information on best prac-
21 tices with respect to the establishment and operation
22 of such centers. The Director shall develop such
23 training program in consultation with veterans busi-
24 ness centers, the interagency task force established

1 under subsection (c), and veterans service organiza-
2 tions.

3 “(9) INCLUSION OF OTHER ORGANIZATIONS IN
4 PROGRAM.—Upon the date of the enactment of this
5 subsection, each Veterans Business Outreach Center
6 established by the Administrator under the authority
7 of section 8(b)(17) and each center that received
8 funds during fiscal year 2006 from the National
9 Veterans Business Development Corporation estab-
10 lished under section 33 and that remains in oper-
11 ation shall be treated as designated as a veterans
12 business center for purposes of this subsection and
13 shall be eligible for grants under this subsection.

14 “(10) RURAL AREAS.—The Director shall sub-
15 mit annually to the Administrator a report on
16 whether a sufficient percentage, as determined by
17 the Director, of veterans in rural areas have ade-
18 quate access to a veterans business center. If the Di-
19 rector submits a report under this paragraph that
20 does not demonstrate that a sufficient percentage of
21 veterans in rural areas have adequate access to a
22 veterans business center, the Director shall give pri-
23 ority during the 1-year period following the date of
24 the submission of such report to applications for
25 designations and grants under this subsection that

1 will establish veterans business centers in rural
2 areas.

3 “(11) AUTHORIZATION OF APPROPRIATIONS.—

4 There is authorized to be appropriated to carry out
5 this subsection \$12,000,000 for fiscal year 2010 and
6 \$14,000,000 for fiscal year 2011.

7 “(h) ADDITIONAL GRANTS AVAILABLE TO VETERANS
8 BUSINESS CENTERS.—

9 “(1) ACCESS TO CAPITAL GRANT PROGRAM.—

10 “(A) IN GENERAL.—The Director of the
11 Veterans Business Center program shall estab-
12 lish a grant program under which the Director
13 is authorized to make, to veterans business cen-
14 ters designated under subsection (g), grants for
15 the following:

16 “(i) Developing specialized programs
17 to assist veteran-owned small businesses to
18 secure capital and repair damaged credit.

19 “(ii) Providing informational seminars
20 on securing loans to veteran-owned small
21 businesses.

22 “(iii) Providing one-on-one counseling
23 to veteran-owned small businesses to im-
24 prove the financial presentations of such
25 businesses to lenders.

1 “(iv) Facilitating the access of vet-
2 eran-owned small businesses to both tradi-
3 tional and non-traditional financing
4 sources.

5 “(v) Providing one-on-one or group
6 counseling to owners of small business con-
7 cerns who are members of the reserve com-
8 ponents of the armed forces, as specified in
9 section 10101 of title 10, United States
10 Code, to assist such owners to effectively
11 prepare their small businesses for periods
12 when such owners are deployed in support
13 of a contingency operation.

14 “(vi) Developing specialized programs
15 to assist unemployed veterans to become
16 entrepreneurs.

17 “(B) AWARD SIZE.—The Director may not
18 award a veterans business center more than
19 \$75,000 in grants under this paragraph.

20 “(C) AUTHORIZATION OF APPROPRIA-
21 TIONS.—There is authorized to be appropriated
22 to carry out this paragraph \$1,500,000 for each
23 of fiscal years 2010 and 2011.

24 “(2) PROCUREMENT ASSISTANCE GRANT PRO-
25 GRAM.—

1 “(A) IN GENERAL.—The Director shall es-
2 tablish a grant program under which the Direc-
3 tor is authorized to make, to veterans business
4 centers designated under subsection (g), grants
5 for the following:

6 “(i) Assisting veteran-owned small
7 businesses to identify contracts that are
8 suitable to such businesses.

9 “(ii) Preparing veteran-owned small
10 businesses to be ready as subcontractors
11 and prime contractors for contracts made
12 available through the American Recovery
13 and Reinvestment Act of 2009 (Public
14 Law 111–5) through training and business
15 advisement, particularly with respect to the
16 construction trades.

17 “(iii) Providing veteran-owned small
18 businesses technical assistance with respect
19 to the Federal procurement process, in-
20 cluding assisting such businesses to comply
21 with Federal regulations and bonding re-
22 quirements.

23 “(B) AWARD SIZE.—The Director may not
24 award a veterans business center more than
25 \$75,000 in grants under this paragraph.

1 “(C) AUTHORIZATION OF APPROPRIA-
2 TIONS.—There is authorized to be appropriated
3 to carry out this paragraph \$1,500,000 for each
4 of fiscal years 2010 and 2011.

5 “(3) SERVICE-DISABLED VETERAN-OWNED
6 SMALL BUSINESS GRANT PROGRAM.—

7 “(A) IN GENERAL.—The Director shall es-
8 tablish a grant program under which the Direc-
9 tor is authorized to make, to veterans business
10 centers designated under subsection (g), grants
11 for the following:

12 “(i) Developing outreach programs for
13 service-disabled veterans to promote self-
14 employment opportunities.

15 “(ii) Providing training to service-dis-
16 abled veterans with respect to business
17 plan development, marketing, budgeting,
18 accounting, and merchandising.

19 “(iii) Assisting service-disabled vet-
20 eran-owned small businesses to locate and
21 secure business opportunities.

22 “(B) AWARD SIZE.—The Director may not
23 award a veterans business center more than
24 \$75,000 in grants under this paragraph.

1 “(C) AUTHORIZATION OF APPROPRIA-
2 TIONS.—There is authorized to be appropriated
3 to carry out this paragraph \$1,500,000 for each
4 of fiscal years 2010 and 2011.

5 “(i) VETERANS ENTREPRENEURIAL DEVELOPMENT
6 SUMMIT.—

7 “(1) IN GENERAL.—The Director of the Vet-
8 erans Business Center program is authorized to
9 carry out an event, once every two years, for the
10 purpose of providing networking opportunities, out-
11 reach, education, training, and support to veterans
12 business centers funded under this section, veteran-
13 owned small businesses, veterans service organiza-
14 tions, and other entities as determined appropriate
15 for inclusion by the Director. Such event shall in-
16 clude education and training with respect to improv-
17 ing outreach to veterans in areas of high unemploy-
18 ment.

19 “(2) AUTHORIZATION OF APPROPRIATIONS.—
20 There is authorized to be appropriated to carry out
21 this subsection \$450,000 for fiscal years 2010 and
22 2011.

23 “(j) INCLUSION OF SURVIVING SPOUSES.—For pur-
24 poses of subsections (g), (h), and (i) the following apply:

1 “(1) The term ‘veteran’ includes a surviving
2 spouse of the following:

3 “(A) A member of the Armed Forces, in-
4 cluding a reserve component thereof.

5 “(B) A veteran.

6 “(2) The term ‘veteran-owned small business’
7 includes a small business owned by a surviving
8 spouse of the following:

9 “(A) A member of the Armed Forces, in-
10 cluding a reserve component thereof.

11 “(B) A veteran.

12 “(k) INCLUSION OF RESERVE COMPONENTS.—For
13 purposes of subsections (g), (h), and (i) the following
14 apply:

15 “(1) The term ‘veteran’ includes a member of
16 the reserve components of the armed forces as speci-
17 fied in section 10101 of title 10, United States
18 Code.

19 “(2) The term ‘veteran-owned small business’
20 includes a small business owned by a member of the
21 reserve components of the armed forces as specified
22 in section 10101 of title 10, United States Code.”.

1 **SEC. 102. REPORTING REQUIREMENT FOR INTERAGENCY**

2 **TASK FORCE.**

3 Section 32(c) of the Small Business Act (15 U.S.C.
4 657b(c)) is amended by adding at the end the following:

5 “(4) REPORT.—The Administrator shall submit
6 to Congress biannually a report on the appointments
7 made to and activities of the task force.”.

8 **SEC. 103. COMPTROLLER GENERAL STUDY OF SMALL BUSI-**

9 **NESS CONCERNS OWNED AND CONTROLLED**

10 **BY VETERANS.**

11 The Comptroller General shall carry out a study on
12 the effects of this Act and the amendments made by this
13 Act on small business concerns owned and controlled by
14 veterans and submit to Congress a report on the results
15 of such study. Such report shall include the recommenda-
16 tions of the Comptroller General with respect to how this
17 Act and the amendments made by this Act may be imple-
18 mented to more effectively serve small business concerns
19 owned and controlled by veterans.

1 **TITLE II—EDUCATING AND NET-**
2 **WORKING ENTREPRENEURS**
3 **THROUGH TODAY’S TECH-**
4 **NOLOGY**

5 **SEC. 201. EDUCATING ENTREPRENEURS THROUGH TECH-**
6 **NOLOGY.**

7 The Small Business Act (15 U.S.C. 631 et seq.) is
8 amended by redesignating section 44 as section 47 and
9 by inserting the following new section after section 43:

10 **“SEC. 44. EDUCATING AND NETWORKING ENTREPRENEURS**
11 **THROUGH TECHNOLOGY.**

12 “(a) PURPOSE.—The purpose of this section is to
13 provide distance learning and opportunities for the ex-
14 change of peer-to-peer technical assistance through online
15 networking to potential and existing entrepreneurs
16 through the use of technology.

17 “(b) DEFINITION.—As used in this section, the term
18 ‘qualified third-party vendor’ means an entity with experi-
19 ence in distance learning content or communications tech-
20 nology, or both, with the ability to utilize on-line, satellite,
21 video-on-demand, and connected community-based organi-
22 zations to distribute and conduct distance learning and es-
23 tablish an online network for use by potential and existing
24 entrepreneurs to facilitate the exchange of peer-to-peer
25 technical assistance related to entrepreneurship, credit

1 management, financial literacy, and Federal small busi-
2 ness development programs.

3 “(c) AUTHORITY.—The Administrator shall contract
4 with qualified third-party vendors for entrepreneurial
5 training content, the development of communications tech-
6 nology that can distribute content under this section
7 throughout the United States, and the establishment of
8 a nationwide, online network for the exchange of peer-to-
9 peer technical assistance. The Administrator shall con-
10 tract with at least two qualified third-party vendors to de-
11 velop content.

12 “(d) CONTENT.—The Administrator shall ensure
13 that the content referred to in subsection (c) is timely and
14 relevant to entrepreneurial development and can be suc-
15 cessfully communicated remotely to an audience through
16 the use of technology. The Administrator shall, to the
17 maximum extent practicable, promote content that makes
18 use of technologies that allow for remote interaction by
19 the content provider with an audience. The Administrator
20 shall ensure that the content is catalogued and accessible
21 to small businesses on-line or through other remote tech-
22 nologies.

23 “(e) COMMUNICATIONS TECHNOLOGY.—The Admin-
24 istrator shall ensure that the communications technology
25 referred to in subsection (c) is able to distribute content

1 throughout all 50 States and the territories of the United
2 States to small business concerns, home-based businesses,
3 Small Business Development Centers, Women’s Business
4 Centers, Veterans Business Centers, SCORE chapters,
5 and the Small Business Administration and network en-
6 trepreneurs throughout all 50 States and the territories
7 of the United States to allow for peer-to-peer learning
8 through the creation of a location online that allows entre-
9 preneurs and small business owners the opportunity to ex-
10 change technical assistance through the sharing of infor-
11 mation. To the extent possible, the qualified third-party
12 vendor should deliver the content and facilitate the net-
13 working using broadband technology.

14 “(f) REPORTS TO CONGRESS.—The Administrator
15 shall submit a report to Congress 6 months after the date
16 of the enactment of this section containing an analysis of
17 the Small Business Administration’s progress in imple-
18 menting this section. The Administrator shall submit a re-
19 port to Congress 1 year after the date of the enactment
20 of this section and annually thereafter containing the
21 number of presentations made under this section, the
22 number of small businesses served under this section, the
23 extent to which this section resulted in the establishment
24 of new businesses, and feedback on the usefulness of this
25 medium in presenting entrepreneurial education and facili-

1 tating the exchange of peer-to-peer technical assistance
 2 throughout the United States.

3 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
 4 are authorized to be appropriated to carry out this section
 5 \$2,000,000 for each of the fiscal years 2010 and 2011.”.

6 **TITLE III—ENHANCING NATIVE** 7 **AMERICAN ENTREPRENEURSHIP**

8 **SEC. 301. OFFICE OF NATIVE AMERICAN AFFAIRS; TRIBAL** 9 **BUSINESS INFORMATION CENTERS PRO-** 10 **GRAM.**

11 (a) ASSOCIATE ADMINISTRATOR.—Section 4(b)(1) of
 12 the Small Business Act (15 U.S.C. 633(b)(1)) is amend-
 13 ed—

14 (1) by striking “five Associate Administrators”
 15 and inserting “six Associate Administrators”; and

16 (2) by inserting after “vested in the Adminis-
 17 tration.” the following: “One such Associate Admin-
 18 istrator shall be the Associate Administrator for Na-
 19 tive American Affairs, who shall administer the Of-
 20 fice of Native American Affairs established under
 21 section 45.”.

22 (b) ESTABLISHMENT.—The Small Business Act (15
 23 U.S.C. 631 et seq.) is amended by inserting after section
 24 44, as added by section 201 of this Act, the following:

1 **“SEC. 45. OFFICE OF NATIVE AMERICAN AFFAIRS AND**
2 **TRIBAL BUSINESS INFORMATION CENTERS**
3 **PROGRAM.**

4 “(a) OFFICE OF NATIVE AMERICAN AFFAIRS.—

5 “(1) ESTABLISHMENT.—There is established in
6 the Administration an Office of Native American Af-
7 fairs (hereinafter referred to in this subsection as
8 the ‘Office’).

9 “(2) ASSOCIATE ADMINISTRATOR.—The Office
10 shall be administered by an Associate Administrator
11 appointed under section 4(b)(1).

12 “(3) RESPONSIBILITIES.—The Office shall have
13 the following responsibilities:

14 “(A) Developing and implementing tools
15 and strategies to increase Native American en-
16 trepreneurship.

17 “(B) Expanding the access of Native
18 American entrepreneurs to business training, fi-
19 nancing, and Federal small business contracts.

20 “(C) Expanding outreach to Native Amer-
21 ican communities and marketing entrepre-
22 neurial development services to such commu-
23 nities.

24 “(D) Representing the Administration with
25 respect to Native American economic develop-
26 ment matters.

1 “(4) COORDINATION AND OVERSIGHT FUNC-
2 TION.—The Office shall provide oversight with re-
3 spect to and assist the implementation of all Admin-
4 istration initiatives relating to Native American en-
5 trepreneurial development.

6 “(5) AUTHORIZATION OF APPROPRIATIONS.—
7 To carry out this subsection, there is authorized to
8 be appropriated to the Administrator \$2,000,000 for
9 each of fiscal years 2010 and 2011.

10 “(b) TRIBAL BUSINESS INFORMATION CENTERS
11 PROGRAM.—

12 “(1) ESTABLISHMENT.—The Administrator is
13 authorized to operate, alone or in coordination with
14 other Federal departments and agencies, a Tribal
15 Business Information Centers program that provides
16 Native American populations with business training
17 and entrepreneurial development assistance.

18 “(2) DESIGNATION OF CENTERS.—The Admin-
19 istrator shall designate entities as centers under the
20 Tribal Business Information Centers program.

21 “(3) ADMINISTRATION SUPPORT.—The Admin-
22 istrator may contribute agency personnel and re-
23 sources to the centers designated under paragraph
24 (2) to carry out this subsection.

1 “(4) GRANT PROGRAM.—The Administrator is
2 authorized to make grants of not more than
3 \$300,000 to centers designated under paragraph (2)
4 for the purpose of providing Native Americans the
5 following:

6 “(A) Business workshops.

7 “(B) Individualized business counseling.

8 “(C) Entrepreneurial development train-
9 ing.

10 “(D) Access to computer technology and
11 other resources to start or expand a business.

12 “(5) REGULATIONS.—The Administrator shall
13 by regulation establish a process for designating cen-
14 ters under paragraph (2) and making the grants au-
15 thorized under paragraph (4).

16 “(6) DEFINITION OF ADMINISTRATOR.—In this
17 subsection, the term ‘Administrator’ means the Ad-
18 ministrator, acting through the Associate Adminis-
19 trator administering the Office of Native American
20 Affairs.

21 “(7) AUTHORIZATION OF APPROPRIATIONS.—
22 To carry out this subsection, there is authorized to
23 be appropriated to the Administrator \$15,000,000
24 for fiscal year 2010 and \$17,000,000 for fiscal year
25 2011.

1 “(c) DEFINITION OF NATIVE AMERICAN.—The term
2 ‘Native American’ means an Indian tribe member, Alaska
3 Native, or Native Hawaiian as such are defined in section
4 21(a)(8) of this Act.”.

5 **SEC. 302. SMALL BUSINESS DEVELOPMENT CENTER AS-**
6 **SISTANCE TO INDIAN TRIBE MEMBERS, ALAS-**
7 **KA NATIVES, AND NATIVE HAWAIIANS.**

8 (a) IN GENERAL.—Section 21(a) of the Small Busi-
9 ness Act (15 U.S.C. 648(a)) is amended by adding at the
10 end the following:

11 “(8) ADDITIONAL GRANT TO ASSIST INDIAN
12 TRIBE MEMBERS, ALASKA NATIVES, AND NATIVE HA-
13 WAIANS.—

14 “(A) IN GENERAL.—Any applicant in an
15 eligible State that is funded by the Administra-
16 tion as a Small Business Development Center
17 may apply for an additional grant to be used
18 solely to provide services described in subsection
19 (c)(3) to assist with outreach, development, and
20 enhancement on Indian lands of small business
21 startups and expansions owned by Indian tribe
22 members, Alaska Natives, and Native Hawai-
23 ians.

24 “(B) ELIGIBLE STATES.—For purposes of
25 subparagraph (A), an eligible State is a State

1 that has a combined population of Indian tribe
2 members, Alaska Natives, and Native Hawai-
3 ians that comprises at least 1 percent of the
4 State’s total population, as shown by the latest
5 available census.

6 “(C) GRANT APPLICATIONS.—An applicant
7 for a grant under subparagraph (A) shall sub-
8 mit to the Administration an application that is
9 in such form as the Administration may re-
10 quire. The application shall include information
11 regarding the applicant’s goals and objectives
12 for the services to be provided using the grant,
13 including—

14 “(i) the capability of the applicant to
15 provide training and services to a rep-
16 resentative number of Indian tribe mem-
17 bers, Alaska Natives, and Native Hawai-
18 ians;

19 “(ii) the location of the Small Busi-
20 ness Development Center site proposed by
21 the applicant;

22 “(iii) the required amount of grant
23 funding needed by the applicant to imple-
24 ment the program; and

1 “(iv) the extent to which the applicant
2 has consulted with local tribal councils.

3 “(D) APPLICABILITY OF GRANT REQUIRE-
4 MENTS.—An applicant for a grant under sub-
5 paragraph (A) shall comply with all of the re-
6 quirements of this section, except that the
7 matching funds requirements under paragraph
8 (4)(A) shall not apply.

9 “(E) MAXIMUM AMOUNT OF GRANTS.—No
10 applicant may receive more than \$300,000 in
11 grants under this paragraph for any fiscal year.

12 “(F) REGULATIONS.—After providing no-
13 tice and an opportunity for comment and after
14 consulting with the Association recognized by
15 the Administration pursuant to paragraph
16 (3)(A) (but not later than 180 days after the
17 date of enactment of this paragraph), the Ad-
18 ministration shall issue final regulations to
19 carry out this paragraph, including regulations
20 that establish—

21 “(i) standards relating to educational,
22 technical, and support services to be pro-
23 vided by Small Business Development Cen-
24 ters receiving assistance under this para-
25 graph; and

1 “(ii) standards relating to any work
2 plan that the Administration may require a
3 Small Business Development Center receiv-
4 ing assistance under this paragraph to de-
5 velop.

6 “(G) ADVICE OF LOCAL TRIBAL ORGANIZA-
7 TIONS.—A Small Business Development Center
8 receiving a grant under this paragraph shall re-
9 quest the advice of a tribal organization on how
10 best to provide assistance to Indian tribe mem-
11 bers, Alaska Natives, and Native Hawaiians
12 and where to locate satellite centers to provide
13 such assistance.

14 “(H) DEFINITIONS.—In this paragraph,
15 the following definitions apply:

16 “(i) INDIAN LANDS.—The term ‘In-
17 dian lands’ has the meaning given the term
18 ‘Indian country’ in section 1151 of title 18,
19 United States Code, the meaning given the
20 term ‘Indian reservation’ in section 151.2
21 of title 25, Code of Federal Regulations
22 (as in effect on the date of enactment of
23 this paragraph), and the meaning given
24 the term ‘reservation’ in section 4 of the

1 Indian Child Welfare Act of 1978 (25
2 U.S.C. 1903).

3 “(ii) INDIAN TRIBE.—The term ‘In-
4 dian tribe’ means any band, nation, or or-
5 ganized group or community of Indians lo-
6 cated in the contiguous United States, and
7 the Metlakatla Indian Community, whose
8 members are recognized as eligible for the
9 services provided to Indians by the Sec-
10 retary of the Interior because of their sta-
11 tus as Indians.

12 “(iii) INDIAN TRIBE MEMBER.—The
13 term ‘Indian tribe member’ means a mem-
14 ber of an Indian tribe (other than an Alas-
15 ka Native).

16 “(iv) ALASKA NATIVE.—The term
17 ‘Alaska Native’ has the meaning given the
18 term ‘Native’ in section 3(b) of the Alaska
19 Native Claims Settlement Act (43 U.S.C.
20 1602(b)).

21 “(v) NATIVE HAWAIIAN.—The term
22 ‘Native Hawaiian’ means any individual
23 who is—

24 “(I) a citizen of the United
25 States; and

1 “(II) a descendant of the aborigi-
2 nal people, who prior to 1778, occu-
3 pied and exercised sovereignty in the
4 area that now constitutes the State of
5 Hawaii.

6 “(vi) TRIBAL ORGANIZATION.—The
7 term ‘tribal organization’ has the meaning
8 given that term in section 4(l) of the In-
9 dian Self-Determination and Education
10 Assistance Act (25 U.S.C. 450b(l)).

11 “(I) AUTHORIZATION OF APPROPRIA-
12 TIONS.—There is authorized to be appropriated
13 to carry out this paragraph \$7,000,000 for each
14 of fiscal years 2010 and 2011.

15 “(J) FUNDING LIMITATIONS.—

16 “(i) NONAPPLICABILITY OF CERTAIN
17 LIMITATIONS.—Funding under this para-
18 graph shall be in addition to the dollar
19 program limitations specified in paragraph
20 (4).

21 “(ii) LIMITATION ON USE OF
22 FUNDS.—The Administration may carry
23 out this paragraph only with amounts ap-
24 propriated in advance specifically to carry
25 out this paragraph.”.

1 **TITLE IV—BROADENING THE**
2 **WOMEN’S BUSINESS CENTER**
3 **PROGRAM**

4 **SEC. 401. NOTIFICATION OF GRANTS; PUBLICATION OF**
5 **GRANT AMOUNTS.**

6 Section 29 of the Small Business Act (15 U.S.C. 656)
7 is amended by adding at the end the following new sub-
8 section:

9 “(o) NOTIFICATION OF GRANTS; PUBLICATION OF
10 GRANT AMOUNTS.—The Administrator shall disburse
11 funds to a women’s business center not later than 1 month
12 after the center’s application is approved under this sec-
13 tion. At the end of each fiscal year the Administrator (act-
14 ing through the Office of Women’s Business ownership)
15 shall publish on the Administration’s website a report set-
16 ting forth the total amount of the grants made under this
17 Act to each women’s business center in the fiscal year for
18 which the report is issued, the total amount of such grants
19 made in each prior fiscal year to each such center, and
20 the total amount of private matching funds provided by
21 each such center over the lifetime of the center.”.

22 **SEC. 402. COMMUNICATIONS.**

23 Section 29 of the Small Business Act (15 U.S.C.
24 656), as amended, is further amended by adding at the
25 end the following new subsection:

1 “(p) COMMUNICATIONS.—The Administrator shall
2 establish, by rule, a standardized process to communicate
3 with women’s business centers regarding program admin-
4 istration matters, including reimbursement, regulatory
5 matters, and programmatic changes. The Administrator
6 shall notify each women’s business center of the oppor-
7 tunity for notice and comment on the proposed rule.”.

8 **SEC. 403. FUNDING.**

9 (a) FORMULA.—Section 29(b) of the Small Business
10 Act (15 U.S.C. 656(b)) is amended to read as follows:

11 “(b) AUTHORITY.—

12 “(1) IN GENERAL.—The Administrator may
13 provide financial assistance to private nonprofit or-
14 ganizations to conduct projects for the benefit of
15 small business concerns owned and controlled by
16 women. The projects shall provide—

17 “(A) financial assistance, including train-
18 ing and counseling in how to apply for and se-
19 cure business credit and investment capital,
20 preparing and presenting financial statements,
21 and managing cash flow and other financial op-
22 erations of a business concern;

23 “(B) management assistance, including
24 training and counseling in how to plan, orga-
25 nize, staff, direct, and control each major activ-

1 ity and function of a small business concern, in-
2 cluding implementing cost-saving energy tech-
3 niques; and

4 “(C) marketing assistance, including train-
5 ing and counseling in identifying and seg-
6 menting domestic and international market op-
7 portunities, preparing and executing marketing
8 plans, developing pricing strategies, locating
9 contract opportunities, negotiating contracts,
10 and utilizing varying public relations and adver-
11 tising techniques.

12 “(2) TIERS.—The Administrator shall provide
13 assistance under paragraph (1) in 3 tiers of assist-
14 ance as follows:

15 “(A) The first tier shall be to conduct a 5-
16 year project in a situation where a project has
17 not previously been conducted. Such a project
18 shall be in a total amount of not more than
19 \$150,000 per year. Projects receiving assistance
20 under this subparagraph that possess the ca-
21 pacity to train existing or potential business
22 owners in the fields of green technology, clean
23 technology, or energy efficiency shall receive the
24 maximum award under this subparagraph.

1 “(B) The second tier shall be to conduct a
2 3-year project in a situation where a first-tier
3 project is being completed. Such a project shall
4 be in a total amount of not more than
5 \$100,000 per year.

6 “(C) The third tier shall be to conduct a
7 3-year project in a situation where a second-tier
8 project is being completed. Such a project shall
9 be in a total amount of not more than
10 \$100,000 per year. Third-tier grants shall be
11 renewable subject to established eligibility cri-
12 teria as well as criteria in subsection (b)(4).

13 “(3) ALLOCATION OF FUNDS.—Of the amounts
14 made available for assistance under this subsection,
15 the Administrator shall allocate—

16 “(A) at least 40 percent for first-tier
17 projects under paragraph (2)(A);

18 “(B) 20 percent for second-tier projects
19 under paragraph (2)(B); and

20 “(C) the remainder for third-tier projects
21 under paragraph (2)(C).

22 “(4) BENCHMARKS FOR THIRD-TIER
23 PROJECTS.—In awarding third-tier projects under
24 paragraph (2)(C), the Administrator shall use
25 benchmarks based on socio-economic factors in the

1 community and on the performance of the applicant.

2 The benchmarks shall include—

3 “(A) the total number of women served by
4 the project;

5 “(B) the proportion of low income women
6 and socio-economic distribution of clients served
7 by the project;

8 “(C) the proportion of individuals in the
9 community that are socially or economically dis-
10 advantaged (based on median income);

11 “(D) the future fund-raising and service
12 coordination plans;

13 “(E) the capacity of the project to train
14 existing or potential business owners in the
15 fields of green technology, clean technology, or
16 energy efficiency;

17 “(F) the diversity of services provided; and

18 “(G) geographic distribution within and
19 across the 10 regions of the Small Business Ad-
20 ministration.”.

21 (b) MATCHING.—Subparagraphs (A) and (B) of sec-
22 tion 29(c)(1) of the Small Business Act (15 U.S.C.
23 656(c)(1)) are amended to read as follows:

1 “(A) For the first and second years of the
2 project, 1 non-Federal dollar for each 2 Federal
3 dollars.

4 “(B) Each year after the second year of
5 the project—

6 “(i) 1 non-Federal dollar for each
7 Federal dollar; or

8 “(ii) if the center is in a community
9 at least 50 percent of the population of
10 which is below the median income for the
11 State or United States territory in which
12 the center is located, 1 non-Federal dollar
13 for each 2 Federal dollars.”.

14 (c) AUTHORIZATION.—Section 20 of the Small Busi-
15 ness Act (15 U.S.C. 631 note) is amended by inserting
16 the following new subsection after subsection (e):

17 “(f) WOMEN’S BUSINESS CENTERS.—There is au-
18 thorized to be appropriated for purposes of grants under
19 section 29 to women’s business centers not more than
20 \$20,000,000 in fiscal year 2010 and not more than
21 \$22,000,000 in fiscal year 2011.”.

22 **SEC. 404. PERFORMANCE AND PLANNING.**

23 (a) IN GENERAL.—Section 29(h)(1) of the Small
24 Business Act (15 U.S.C. 656(h)(1)) is amended—

1 (1) by striking “and” at the end of subpara-
2 graph (A);

3 (2) by redesignating subparagraph (B) as sub-
4 paragraph (D); and

5 (3) by inserting the following new subpara-
6 graphs after subparagraph (A):

7 “(B) establish performance measures, tak-
8 ing into account the demographic differences of
9 populations served by women’s business centers,
10 which measures shall include—

11 “(i) outcome-based measures of the
12 amount of job creation or economic activity
13 generated in the local community as a re-
14 sult of efforts made and services provided
15 by each women’s business center, and

16 “(ii) service-based measures of the
17 amount of services provided to individuals
18 and small business concerns served by each
19 women’s business center;

20 “(C) require each women’s business center
21 to submit an annual plan for the next year that
22 includes the center’s funding sources and
23 amounts, strategies for increasing outreach to
24 women-owned businesses, strategies for increas-
25 ing job growth in the community, strategies for

1 increasing job placement of women in nontradi-
2 tional occupations, and other content as deter-
3 mined by the Administrator; and”.

4 (b) CONFORMING AMENDMENT.—Section 29(h)(1) of
5 the Small Business Act (15 U.S.C. 656(h)(1)), as amend-
6 ed, is further amended by adding the following at the end
7 thereof:

8 “The Administrator’s evaluation of each women’s
9 business center as required by this subsection shall
10 be in part based on the performance measures under
11 subparagraphs (B) and (C). These measures and the
12 Administrator’s evaluations thereof shall be made
13 publicly available.”.

14 **SEC. 405. NATIONAL WOMEN’S BUSINESS COUNCIL.**

15 The Women’s Business Ownership Act of 1988 is
16 amended as follows:

17 (1) In section 409(a) (15 U.S.C. 7109(a)), by
18 adding the following at the end thereof: “Such stud-
19 ies shall include a study on the impact of the 2008–
20 2009 financial markets crisis on women-owned busi-
21 nesses, and a study of the use of the Small Business
22 Administration’s programs by women-owned busi-
23 nesses.”.

1 (2) In section 410(a) (15 U.S.C. 7110(a)), by
 2 striking “2001 through 2003” and insert “2010 and
 3 2011”.

4 **SEC. 406. APPLICANT EVALUATION CRITERIA.**

5 Section 29(f) of the Small Business Act (15 U.S.C.
 6 656(f)) is amended—

7 (1) in paragraph (3) by striking “and” at the
 8 end;

9 (2) in paragraph (4) by striking the period and
 10 inserting “; and”; and

11 (3) by adding at the end the following:

12 “(5) whether the applicant has the capacity to
 13 train existing or potential business owners in the
 14 fields of green technology, clean technology, or en-
 15 ergy efficiency.”.

16 **TITLE V—SCORE PROGRAM**
 17 **IMPROVEMENTS**

18 **SEC. 501. EXPANSION OF VOLUNTEER REPRESENTATION**
 19 **AND BENCHMARK REPORTS.**

20 (a) EXPANSION OF VOLUNTEER REPRESENTA-
 21 TION.—Section 8(b)(1)(B) of the Small Business Act (15
 22 U.S.C. 637(b)(1)(B)) is amended—

23 (1) by inserting “(i)” after “(B)”; and

24 (2) by adding at the end the following:

1 “(ii) The Administrator shall ensure that
2 SCORE, established under this subparagraph, car-
3 ries out a plan to increase the proportion of mentors
4 who are from socially or economically disadvantaged
5 backgrounds and, on an annual basis, reports to the
6 Administrator on the implementation of this sub-
7 paragraph.”.

8 (b) BENCHMARK REPORTS.—Section 8(b)(1)(B) of
9 the Small Business Act (15 U.S.C. 637(b)(1)(B)), as
10 amended, is further amended by adding at the end the
11 following:

12 “(iii) The Administrator shall ensure that
13 SCORE, established under this subparagraph, estab-
14 lishes benchmarks for use in evaluating the perform-
15 ance of its activities and of its volunteers. The
16 benchmarks shall include benchmarks relating to the
17 demographic characteristics and the geographic
18 characteristics of persons assisted by SCORE,
19 benchmarks related to the hours spent mentoring by
20 volunteers, and benchmarks relating to the perform-
21 ance of the persons assisted by SCORE. SCORE
22 shall report, on an annual basis, to the Adminis-
23 trator the extent to which the benchmarks estab-
24 lished under this clause are being attained.”.

1 **SEC. 502. MENTORING AND NETWORKING.**

2 Section 8(b)(1)(B) of the Small Business Act (15
3 U.S.C. 637(b)(1)(B)), as amended, is further amended by
4 adding at the end the following:

5 “(iv) The Administrator shall ensure that
6 SCORE, established under this subparagraph, estab-
7 lishes a mentoring program for small business con-
8 cerns that provides one-on-one advice to small busi-
9 ness concerns from qualified counselors. For pur-
10 poses of this clause, qualified counselors are coun-
11 selors with at least 10 years experience in the indus-
12 try sector or area of responsibility of the small busi-
13 ness concern seeking advice.

14 “(v) The Administrator shall carry out a net-
15 working program through SCORE, established
16 under this subparagraph, that provides small busi-
17 ness concerns with the opportunity to make business
18 contacts in their industry or geographic region.”.

19 **SEC. 503. NAME OF PROGRAM CHANGED TO SCORE.**

20 (a) NAME CHANGE.—The Small Business Act is
21 amended as follows:

22 (1) In section 8(b)(1)(B) (15 U.S.C.
23 637(b)(1)(B)), by striking “Executives (SCORE)”
24 and inserting “Executives (in this Act referred to as
25 ‘SCORE’)”.

1 (2) In section 7(m)(3)(A)(i)(VIII) (15 U.S.C.
 2 636(m)(3)(A)(i)(VIII)), by striking “the Service
 3 Corps of Retired Executives” and inserting
 4 “SCORE”.

5 (3) In section 20 (15 U.S.C. 631 note)—

6 (A) in subsection (d)(1)(E), by striking
 7 “the Service Corps of Retired Executives pro-
 8 gram” and inserting “SCORE”; and

9 (B) in subsection (e)(1)(E), by striking
 10 “the Service Corps of Retired Executives pro-
 11 gram” and inserting “SCORE”.

12 (4) In section 33(b)(2) (15 U.S.C. 657c(b)(2)),
 13 by striking “Service Corps of Retired Executives”
 14 and inserting “SCORE”.

15 (b) **ELIMINATION OF ACE.**—Section 8(b)(1)(B) of
 16 the Small Business Act (15 U.S.C. 637(b)(1)(B)), as
 17 amended, is further amended by striking “and an Active
 18 Corps of Executive (ACE)”.

19 **SEC. 504. AUTHORIZATION OF APPROPRIATIONS.**

20 Section 20 of the Small Business Act (15 U.S.C. 631
 21 note), as amended by section 403(c) of this Act, is further
 22 amended by inserting the following new subsection after
 23 subsection (f):

24 “(g) **AUTHORIZATION OF APPROPRIATIONS FOR**
 25 **SCORE.**—There is authorized to be appropriated

1 \$7,000,000 for SCORE under section 8(b)(1) for each of
2 the fiscal years 2010 and 2011.”.

3 **TITLE VI—EXPANDING** 4 **ENTREPRENEURSHIP**

5 **SEC. 601. EXPANDING ENTREPRENEURSHIP.**

6 Section 4 of the Small Business Act (15 U.S.C. 633)
7 is amended by adding at the end the following:

8 “(g) MANAGEMENT AND DIRECTION.—

9 “(1) PLAN FOR ENTREPRENEURIAL DEVELOP-
10 MENT AND JOB CREATION STRATEGY.—The Admin-
11 istrator shall develop and submit to Congress a plan,
12 in consultation with a representative from each of
13 the agency’s entrepreneurial development programs,
14 for using the Small Business Administration’s entre-
15 preneurial development programs to create jobs dur-
16 ing fiscal years 2010 and 2011. The plan shall in-
17 clude the Administration’s plan for drawing on exist-
18 ing programs, including Small Business Develop-
19 ment Centers, Women’s Business Centers, SCORE,
20 Veterans Business Centers, Native American Out-
21 reach, and other appropriate programs. The Admin-
22 istrator shall identify a strategy for each Adminis-
23 tration region to create or retain jobs through Ad-
24 ministration programs. The Administrator shall
25 identify, in consultation with appropriate personnel

1 from entrepreneurial development programs, per-
2 formance measures and criteria, including job cre-
3 ation, job retention, and job retraining goals, to
4 evaluate the success of the Administration's actions
5 regarding these efforts.

6 “(2) DATA COLLECTION PROCESS.—The Ad-
7 ministrator shall, after notice and opportunity for
8 comment, promulgate a rule to develop and imple-
9 ment a consistent data collection process to cover all
10 entrepreneurial development programs. Such data
11 collection process shall include data relating to job
12 creation, performance, and any other data deter-
13 mined appropriate by the Administrator with respect
14 to the Administration's entrepreneurial development
15 programs.

16 “(3) COORDINATION AND ALIGNMENT OF SBA
17 ENTREPRENEURIAL DEVELOPMENT PROGRAMS.—
18 The Administrator shall submit annually to Con-
19 gress, in consultation with other Federal depart-
20 ments and agencies as appropriate, a report on op-
21 portunities to foster coordination, limit duplication,
22 and improve program delivery for Federal entrepre-
23 neurial development programs.

24 “(4) DATABASE OF ENTREPRENEURIAL DEVEL-
25 OPMENT SERVICE PROVIDERS.—The Administrator

1 shall, after a period of 60 days for public comment,
2 establish a database of providers of entrepreneurial
3 development services and, make such database avail-
4 able through the Administration’s Web site. The
5 database shall be searchable by industry, geography,
6 and service required.

7 “(5) COMMUNITY SPECIALIST.—The Adminis-
8 trator shall designate not less than one staff member
9 in each Administration district office as a commu-
10 nity specialist who has as their full-time responsi-
11 bility working with local entrepreneurial development
12 service providers to increase coordination with Fed-
13 eral resources. The Administrator shall develop
14 benchmarks for measuring the performance of com-
15 munity specialists under this subsection.

16 “(6) ENTREPRENEURIAL DEVELOPMENT POR-
17 TAL.—The Administrator shall publish a design for
18 a Web-based portal to provide comprehensive infor-
19 mation on the Administration’s entrepreneurial de-
20 velopment programs. After a period of 60 days for
21 public comment, the Administrator shall establish
22 such portal and—

23 “(A) integrate under one Web portal,
24 Small Business Development Centers, Women’s
25 Business Centers, SCORE, Veterans Business

1 Centers, the Administration’s distance learning
2 program, and other programs as appropriate;

3 “(B) revise the Administration’s primary
4 Web site so that the Web portal described in
5 subparagraph (A) is available as a link on the
6 main Web page of the Web site;

7 “(C) increase consumer-oriented content
8 on the Administration’s Web site and focus on
9 promoting access to business solutions, includ-
10 ing marketing, financing, and human resources
11 planning;

12 “(D) establish relevant Web content aggre-
13 gated by industry segment, stage of business
14 development, level of need, and include referral
15 links to appropriate Administration services, in-
16 cluding financing, training and counseling, and
17 procurement assistance; and

18 “(E) provide style guidelines and links for
19 visitors to the Administration’s Web site to be
20 able to comment on and evaluate the materials
21 in terms of their usefulness.

22 “(7) PILOT PROGRAMS.—The Administrator
23 may not conduct any pilot program for a period of
24 greater than 3 years if the program conflicts with,
25 or uses the resources of, any of the entrepreneurial

1 development programs authorized under section
 2 8(b)(1)(B), 21, 29, 32, or any other provision of this
 3 Act.”.

4 **TITLE VII—MODERNIZING THE**
 5 **SMALL BUSINESS DEVELOP-**
 6 **MENT CENTER PROGRAM**

7 **SEC. 701. SMALL BUSINESS DEVELOPMENT CENTERS OPER-**
 8 **ATIONAL CHANGES.**

9 (a) ACCREDITATION REQUIREMENT.—Section
 10 21(a)(1) of the Small Business Act (15 U.S.C. 648(a)(1))
 11 is amended as follows:

12 (1) In the proviso, by inserting before “institu-
 13 tion” the following: “accredited”.

14 (2) In the sentence beginning “The Administra-
 15 tion shall”, by inserting before “institutions” the fol-
 16 lowing: “accredited”.

17 (3) By adding at the end the following new sen-
 18 tence: “In this paragraph, the term ‘accredited insti-
 19 tution of higher education’ means an institution that
 20 is accredited as described in section 101(a)(5) of the
 21 Higher Education Act of 1965 (20 U.S.C.
 22 1001(a)(5)).”.

23 (b) PROGRAM NEGOTIATIONS.—Section 21(a)(3) of
 24 the Small Business Act (15 U.S.C. 648(a)(3)) is amended

1 in the matter preceding subparagraph (A), by inserting
 2 before “agreed” the following: “mutually”.

3 (c) CONTRACT NEGOTIATIONS.—Section 21(a)(3)(A)
 4 of the Small Business Act (15 U.S.C. 648(a)(3)(A)) is
 5 amended by inserting after “uniform negotiated” the fol-
 6 lowing: “mutually agreed to”.

7 (d) SBDC HIRING.—Section 21(c)(2)(A) of the
 8 Small Business Act (15 U.S.C. 648(c)(2)(A)) is amended
 9 by inserting after “full-time staff” the following: “, the
 10 hiring of which shall be at the sole discretion of the center
 11 without the need for input or approval from any officer
 12 or employee of the Administration”.

13 (e) CONTENT OF CONSULTATIONS.—Section
 14 21(a)(7)(A) of the Small Business Act (15 U.S.C.
 15 648(a)(7)(A)) is amended in the matter preceding clause
 16 (i) by inserting after “under this section” the following:
 17 “, or the content of any consultation with such an indi-
 18 vidual or small business concern,”.

19 (f) AMOUNTS FOR ADMINISTRATIVE EXPENSES.—
 20 Section 21(a)(4)(C)(v)(I) of the Small Business Act (15
 21 U.S.C. 648(a)(4)(C)(v)(I)) is amended to read as follows:

22 “(I) IN GENERAL.—Of the amounts
 23 made available in any fiscal year to carry
 24 out this section, not more than \$500,000
 25 may be used by the Administration to pay

1 expenses enumerated in subparagraphs (B)
2 through (D) of section 20(a)(1).”.

3 (g) NON-MATCHING PORTABILITY GRANTS.—Section
4 21(a)(4)(C)(viii) of the Small Business Act (15 U.S.C.
5 648(a)(4)(C)(viii)) is amended by adding at the end the
6 following: “In the event of a disaster, the dollar limitation
7 in the preceding sentence shall not apply.”.

8 (h) DISTRIBUTION TO SBDCs.—Section 21(b) of the
9 Small Business Act (15 U.S.C. 648(b)) is amended by
10 adding at the end the following new paragraph:

11 “(4) LIMITATION ON DISTRIBUTION TO SMALL BUSI-
12 NESS DEVELOPMENT CENTERS.—

13 “(A) IN GENERAL.—Except as otherwise pro-
14 vided in this paragraph, the Administration shall not
15 distribute funds to a Small Business Development
16 Center if the State in which the Small Business De-
17 velopment Center is located is served by more than
18 one Small Business Development Center.

19 “(B) UNAVAILABILITY EXCEPTION.—The Ad-
20 ministration may distribute funds to a maximum of
21 two Small Business Development Centers in any
22 State if no applicant has applied to serve the entire
23 State.

24 “(C) GRANDFATHER CLAUSE.—The limitations
25 in this paragraph shall not apply to any State in

1 which more than one Small Business Development
2 Center received funding prior to January 1, 2007.

3 “(D) DEFINITION.—For the purposes of this
4 paragraph, the term ‘Small Business Development
5 Center’ means the entity selected by the Administra-
6 tion to receive funds pursuant to the funding for-
7 mula set forth in subsection (a)(4), without regard
8 to the number of sites for service delivery such enti-
9 ty establishes or funds.”.

10 (i) WOMEN’S BUSINESS CENTERS.—Section 21(a)(1)
11 of the Small Business Act (15 U.S.C. 648(a)(1)), as
12 amended, is further amended—

13 (1) by striking “and women’s business centers
14 operating pursuant to section 29”; and

15 (2) by striking “or a women’s business center
16 operating pursuant to section 29”.

17 **SEC. 702. ACCESS TO CREDIT AND CAPITAL.**

18 Section 21 of the Small Business Act (15 U.S.C. 648)
19 is amended by adding at the end the following new sub-
20 section:

21 “(o) ACCESS TO CREDIT AND CAPITAL PROGRAM.—

22 “(1) IN GENERAL.—The Administration shall
23 establish a grant program for small business devel-
24 opment centers in accordance with this subsection.

25 To be eligible for the program, a small business de-

1 velopment center must be in good standing and com-
2 ply with the other requirements of this section.
3 Funds made available through the program shall be
4 used to—

5 “(A) develop specialized programs to assist
6 local small business concerns in securing capital
7 and repairing damaged credit;

8 “(B) provide informational seminars on se-
9 curing credit and loans;

10 “(C) provide one-on-one counseling with
11 potential borrowers to improve financial presen-
12 tations to lenders; and

13 “(D) facilitate borrowers’ access to non-
14 traditional financing sources, as well as tradi-
15 tional lending sources.

16 “(2) AWARD SIZE LIMIT.—The Administration
17 may not award an entity more than \$300,000 in
18 grant funds under this subsection.

19 “(3) AUTHORITY.—Subject to amounts ap-
20 proved in advance in appropriations Acts and sepa-
21 rate from amounts approved to carry out the pro-
22 gram established in subsection (a)(1), the Adminis-
23 tration may make grants or enter into cooperative
24 agreements to carry out this subsection.

1 “(4) AUTHORIZATION.—There is authorized to
2 be appropriated not more than \$2,500,000 for the
3 purposes of carrying out this subsection for each of
4 the fiscal years 2010 and 2011.”.

5 **SEC. 703. PROCUREMENT TRAINING AND ASSISTANCE.**

6 Section 21 of the Small Business Act (15 U.S.C.
7 648), as amended, is further amended by adding at the
8 end the following new subsection:

9 “(p) PROCUREMENT TRAINING AND ASSISTANCE.—

10 “(1) IN GENERAL.—The Administration shall
11 establish a grant program for small business devel-
12 opment centers in accordance with this subsection.
13 To be eligible for the program, a small business de-
14 velopment center must be in good standing and com-
15 ply with the other requirements of this section.
16 Funds made available through the program shall be
17 used to—

18 “(A) work with local agencies to identify
19 contracts that are suitable for local small busi-
20 ness concerns;

21 “(B) prepare small businesses to be ready
22 as subcontractors and prime contractors for
23 contracts made available under the American
24 Recovery and Reinvestment Act of 2009 (Public
25 Law 111–5) through training and business ad-

1 visement, particularly in the construction
2 trades; and

3 “(C) provide technical assistance regarding
4 the Federal procurement process, including as-
5 sisting small business concerns to comply with
6 federal regulations and bonding requirements.

7 “(2) AWARD SIZE LIMIT.—The Administration
8 may not award an entity more than \$300,000 in
9 grant funds under this subsection.

10 “(3) AUTHORITY.—Subject to amounts ap-
11 proved in advance in appropriations Acts and sepa-
12 rate from amounts approved to carry out the pro-
13 gram established in subsection (a)(1), the Adminis-
14 tration may make grants or enter into cooperative
15 agreements to carry out this subsection.

16 “(4) AUTHORIZATION OF APPROPRIATIONS.—
17 There is authorized to be appropriated not more
18 than \$2,500,000 for the purposes of carrying out
19 this subsection for each of the fiscal years 2010 and
20 2011.”.

21 **SEC. 704. GREEN ENTREPRENEURS TRAINING PROGRAM.**

22 Section 21 of the Small Business Act (15 U.S.C.
23 648), as amended, is further amended by adding at the
24 end the following new subsection:

1 “(q) GREEN ENTREPRENEURS TRAINING PRO-
2 GRAM.—

3 “(1) IN GENERAL.—The Administration shall
4 establish a grant program for small business devel-
5 opment centers in accordance with this subsection.
6 To be eligible for the program, a small business de-
7 velopment center must be in good standing and com-
8 ply with the other requirements of this section.
9 Funds made available through the program shall be
10 used to—

11 “(A) provide education classes and one-on-
12 one instruction in starting a business in the
13 fields of energy efficiency, green technology, or
14 clean technology and in adapting a business to
15 include such fields;

16 “(B) coordinate such classes and instruc-
17 tion, to the extent practicable, with local com-
18 munity colleges and local professional trade as-
19 sociations;

20 “(C) assist and provide technical coun-
21 seling to individuals seeking to start a business
22 in the fields of energy efficiency, green tech-
23 nology, or clean technology and to individuals
24 seeking to adapt a business to include such
25 fields; and

1 “(D) provide services that assist low-in-
 2 come or dislocated workers to start businesses
 3 in the fields of energy efficiency, green tech-
 4 nology, or clean technology.

5 “(2) AWARD SIZE LIMIT.—The Administration
 6 may not award an entity more than \$300,000 in
 7 grant funds under this subsection.

8 “(3) AUTHORITY.—Subject to amounts ap-
 9 proved in advance in appropriations Acts and sepa-
 10 rate from amounts approved to carry out the pro-
 11 gram established in subsection (a)(1), the Adminis-
 12 tration may make grants or enter into cooperative
 13 agreements to carry out this subsection.

14 “(4) AUTHORIZATION OF APPROPRIATIONS.—
 15 There is authorized to be appropriated not more
 16 than \$2,500,000 for the purposes of carrying out
 17 this subsection for each of the fiscal years 2010 and
 18 2011.”.

19 **SEC. 705. MAIN STREET STABILIZATION.**

20 Section 21 of the Small Business Act (15 U.S.C.
 21 648), as amended, is further amended by adding the fol-
 22 lowing new subsection at the end thereof:

23 “(r) MAIN STREET STABILIZATION.—

24 “(1) IN GENERAL.—The Administration shall
 25 establish a grant program for small business devel-

1 opment centers in accordance with this subsection.
2 To be eligible for the program, a small business de-
3 velopment center must be in good standing and com-
4 ply with the other requirements of this section.
5 Funds made available through the program shall be
6 used to—

7 “(A) establish a statewide small business
8 helpline within every State and United States
9 territory to provide immediate expert informa-
10 tion and assistance to small business concerns;

11 “(B) develop a portfolio of online survival
12 and growth tools and resources that struggling
13 small business concerns can utilize through the
14 Internet;

15 “(C) develop business advisory capacity to
16 provide expert consulting and education to as-
17 sist small businesses at-risk of failure and to, in
18 areas of high demand, shorten the response
19 time of small business development centers,
20 and, in rural areas, support added outreach in
21 remote communities;

22 “(D) deploy additional resources to help
23 specific industry sectors with a high presence of
24 small business concerns, which shall be targeted
25 toward clusters of small businesses with similar

1 needs and build upon best practices from earlier
 2 assistance;

3 “(E) develop a formal listing of financing
 4 options for small business capital access; and

5 “(F) deliver services that help dislocated
 6 workers start new businesses.

7 “(2) AWARD SIZE LIMIT.—The Administration
 8 may not award an entity more than \$250,000 in
 9 grant funds under this subsection.

10 “(3) AUTHORITY.—Subject to amounts ap-
 11 proved in advance in appropriations Acts and sepa-
 12 rate from amounts approved to carry out the pro-
 13 gram established in subsection (a)(1), the Adminis-
 14 tration may make grants or enter into cooperative
 15 agreements to carry out this subsection.

16 “(4) AUTHORIZATION.—There is authorized to
 17 be appropriated not more than \$2,500,000 for the
 18 purposes of carrying out this subsection for each of
 19 the fiscal years 2010 and 2011.”.

20 **SEC. 706. PROHIBITION ON PROGRAM INCOME BEING USED**
 21 **AS MATCHING FUNDS.**

22 Section 21(a)(4)(B) (15 U.S.C. 648(a)(4)(B)) is
 23 amended by inserting after “Federal program” the fol-
 24 lowing: “and shall not include any funds obtained through
 25 the assessment of fees to small business clients”.

1 **SEC. 707. AUTHORIZATION OF APPROPRIATIONS.**

2 Section 20 of the Small Business Act (15 U.S.C. 631
3 note), as amended by sections 403(c) and 504 of this Act,
4 is further amended by inserting after subsection (g) the
5 following new subsection:

6 “(h) SMALL BUSINESS DEVELOPMENT CENTERS.—
7 There is authorized to be appropriated to carry out the
8 Small Business Development Center Program under sec-
9 tion 21 \$150,000,000 for fiscal year 2010 and
10 \$160,000,000 for fiscal year 2011.”.

11 **SEC. 708. SMALL MANUFACTURERS TRANSITION ASSIST-**
12 **ANCE PROGRAM.**

13 Section 21 of the Small Business Act (15 U.S.C.
14 648), as amended, is further amended by adding at the
15 end the following new subsection:

16 “(s) SMALL MANUFACTURERS TRANSITION ASSIST-
17 ANCE PROGRAM.—

18 “(1) IN GENERAL.—The Administration shall
19 establish a grant program for small business devel-
20 opment centers in accordance with this subsection.
21 To be eligible for the program, a small business de-
22 velopment center must be in good standing and com-
23 ply with the other requirements of this section.
24 Funds made available through the program shall be
25 used to—

1 “(A) provide technical assistance and ex-
2 pertise to small manufacturers with respect to
3 changing operations to another industry sector
4 or reorganizing operations to increase efficiency
5 and profitability;

6 “(B) assist marketing of the capabilities of
7 small manufacturers outside the principal area
8 of operations of such manufacturers;

9 “(C) facilitate peer-to-peer and mentor-
10 protege relationships between small manufac-
11 turers and corporations and Federal agencies;
12 and

13 “(D) conduct outreach activities to local
14 small manufacturers with respect to the avail-
15 ability of the services described in subpara-
16 graphs (A), (B), and (C).

17 “(2) DEFINITION OF SMALL MANUFACTURER.—

18 In this subsection, the term ‘small manufacturer’
19 means a small business concern engaged in an in-
20 dustry specified in sector 31, 32, or 33 of the North
21 American Industry Classification System in section
22 121.201 of title 13, Code of Federal Regulations.

23 “(3) AWARD SIZE LIMIT.—The Administration
24 may not award an entity more than \$250,000 in
25 grant funds under this subsection.

1 “(4) AUTHORITY.—Subject to amounts ap-
 2 proved in advance in appropriations Acts and sepa-
 3 rate from amounts approved to carry out the pro-
 4 gram established in subsection (a)(1), the Adminis-
 5 tration may make grants or enter into cooperative
 6 agreements to carry out this subsection.

7 “(5) AUTHORIZATION.—There is authorized to
 8 be appropriated not more than \$2,500,000 for the
 9 purposes of carrying out this subsection for each of
 10 the fiscal years 2010 and 2011.”.

11 **TITLE VIII—MICROENTERPRISE** 12 **TRAINING CENTER PROGRAM**

13 **SEC. 801. MICROENTERPRISE TRAINING CENTER PRO-** 14 **GRAM.**

15 The Small Business Act (15 U.S.C. 631 et seq.) is
 16 amended by inserting after section 45, as added by section
 17 301(b) of this Act, the following:

18 **“SEC. 46. MICROENTERPRISE TRAINING CENTER PRO-** 19 **GRAM.**

20 “(a) ESTABLISHMENT.—The Administrator shall es-
 21 tablish and carry out a microenterprise training center
 22 program for the purpose of providing low-income and un-
 23 employed individuals with training and counseling with re-
 24 spect to starting a microenterprise.

1 “(b) NUMBER AND LOCATION OF CENTERS.—In car-
2 rying out the program under subsection (a), the Adminis-
3 trator shall establish 10 microenterprise training centers,
4 which, to the extent practicable, shall be located in a man-
5 ner that promotes the geographic diversity of such centers.
6 The Administrator shall give priority in locating such cen-
7 ters to areas with high proportions of low-income and un-
8 employed individuals.

9 “(c) FUNCTION.—In carrying out the program under
10 subsection (a), the Administrator shall ensure that micro-
11 enterprise training centers provide training and resources
12 to individuals seeking to start a new microenterprise, in-
13 cluding through the provision of classes, one-on-one in-
14 struction, and other services the Administrator determines
15 appropriate.

16 “(d) COORDINATION.—The Administrator shall co-
17 ordinate the program established under subsection (a)
18 with other programs of the Administration that may pro-
19 vide support to microenterprises.

20 “(e) DEFINITION OF MICROENTERPRISE.—In this
21 section, the term ‘microenterprise’ means a business with
22 not more than 6 employees and begun with an initial in-
23 vestment of not more than \$40,000.”.

1 **TITLE IX—MILITARY**
2 **ENTREPRENEURS PROGRAM**

3 **SEC. 901. MILITARY ENTREPRENEURS PROGRAM.**

4 The Small Business Act (15 U.S.C. 631 et seq.) is
5 amended by inserting after section 45, as added by section
6 301(b) of this Act, the following:

7 **“SEC. 47. MILITARY ENTREPRENEURS PROGRAM.**

8 “(a) ESTABLISHMENT.—The Administrator shall es-
9 tablish and carry out a program to provide business coun-
10 seling and entrepreneurial development assistance to
11 members of the Armed Forces to facilitate the develop-
12 ment of small business concerns.

13 “(b) LIAISON.—In carrying out the program de-
14 scribed in subsection (a), the Administrator shall establish
15 a liaison to facilitate outreach to members of the Armed
16 Forces with respect to business counseling and entrepre-
17 neurial development assistance.

18 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
19 is authorized to be appropriated to the Administrator to
20 carry out this section \$1,000,000 for fiscal years 2010 and
21 2011.”.

1 **TITLE X—RURAL ENTREPRE-**
2 **NEURSHIP ADVISORY COUN-**
3 **CIL**

4 **SEC. 1001. RURAL ENTREPRENEURSHIP ADVISORY COUN-**
5 **CIL.**

6 The Small Business Act (15 U.S.C. 631 et. seq.) is
7 amended by inserting after section 45, as added by section
8 301(b) of this Act, the following:

9 **“SEC. 48. RURAL ENTREPRENEURSHIP ADVISORY COUNCIL.**

10 “(a) ESTABLISHMENT.—The Administrator shall es-
11 tablish a rural entrepreneurship advisory council (herein-
12 after referred to in this section as the ‘council’).

13 “(b) COMPOSITION.—The Administrator shall ensure
14 that the council is composed of appropriate officials from
15 the Administration, the rural development programs of the
16 Department of Agriculture, and the Department of Com-
17 merce and of representatives, who volunteer for the coun-
18 cil, from the academic, small business, agriculture, and
19 high-tech communities.

20 “(c) FUNCTIONS.—

21 “(1) INITIAL REPORT.—Not later than 90 days
22 after the date of the enactment of this section, the
23 council shall submit to the Administrator and to
24 Congress a report on the following:

1 “(A) Entrepreneurship in rural commu-
2 nities compared to urban communities.

3 “(B) Potential barriers to entrepreneurship
4 for individuals in rural communities.

5 “(C) Effective Federal policies that are ex-
6 panding entrepreneurship in rural communities.

7 “(D) Recommendations for Federal poli-
8 cies to foster entrepreneurship in rural commu-
9 nities and to ensure that rural entrepreneurs
10 have equal access to technical assistance, entre-
11 preneurial opportunities, and educational out-
12 reach.

13 “(2) ADVICE.—The council shall provide ongoing
14 advice to the Administrator with respect to rural
15 entrepreneurship and make recommendations to foster
16 rural entrepreneurs, including through the effective
17 use of broadband technology.”.

18 **TITLE XI—ASSISTANCE RELATED** 19 **TO CARBON EMISSION TAX**

20 **SEC. 1101. ASSISTANCE RELATED TO CARBON EMISSION** 21 **TAX.**

22 Section 21(c)(3) of the Small Business Act (15
23 U.S.C. 648(c)(3)) is amended—

24 (1) in subparagraph (S), by striking the final
25 “and”;

1 (2) in subparagraph (T), by striking the period
2 and inserting “; and”; and

3 (3) by adding at the end the following new sub-
4 paragraph:

5 “(U) providing information and technical
6 assistance to any small business owner that
7 faces an increase in costs as a result of the en-
8 actment of any program to impose a tax on car-
9 bon emissions, either directly or through the op-
10 eration of a cap and trade system on such emis-
11 sion limits.”.

Passed the House of Representatives May 20, 2009.

Attest:

Clerk.

11TH CONGRESS
1ST SESSION

H. R. 2352

AN ACT

To amend the Small Business Act, and for other
purposes.